



House of Representatives

General Assembly

File No. 175

January Session, 2013

House Bill No. 6408

House of Representatives, March 26, 2013

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE POSSESSION OF ALCOHOLIC LIQUOR BY MINORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-89a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person having possession of, or exercising dominion and
4 control over, any dwelling unit or private property shall (1)
5 knowingly, recklessly [] or with criminal negligence [] permit any
6 minor to possess alcoholic liquor in violation of subsection (b) of
7 section 30-89 in such dwelling unit or on such private property, or (2)
8 knowing that any minor possesses alcoholic liquor in violation of
9 subsection (b) of section 30-89 in such dwelling unit or on such private
10 property, fail to make reasonable efforts to halt such possession. For
11 the purposes of this subsection, "minor" means a person under twenty-
12 one years of age.

13 (b) Any person who violates the provisions of subsection (a) of this

- 14 section shall be guilty of a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	30-89a
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GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Judicial Dept.	GF - Potential Revenue Loss	Less than \$20,000	Less than \$20,000

Municipal Impact: None

Explanation

The bill results in a potential minimal revenue loss by adding a requirement that the property owner must know that the minor is in possession of alcohol in order to violate the statute. In FY 12 there were 121 violations that resulted in fines of approximately \$20,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Judicial Department Offenses and Revenue Database

OLR Bill Analysis**HB 6408*****AN ACT CONCERNING THE POSSESSION OF ALCOHOLIC LIQUOR BY MINORS.*****SUMMARY:**

This bill narrows the scope of the law that requires anyone who possesses or controls private property, including a dwelling unit, to make reasonable efforts to prevent a minor (person under age 21) from illegally possessing alcohol in the unit or on the property. It explicitly requires the person to know about the illegal possession. Under current law, it is unclear whether the person must know about the possession.

By law, unchanged by the bill, it is also a violation if the person knowingly, recklessly, or with criminal negligence permits a minor to possess alcohol illegally in the unit or on the property.

By law, violators are guilty of a class A misdemeanor (punishable by up to one year imprisonment, up to a \$2,000 fine, or both).

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (03/12/2013)